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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/967,283	09/28/2001	James Morrow	10407/521	6806

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EXAMINER	
CHERUBIN, YVESTE GILBERTE	
ART UNIT	**PAPER NUMBER**
3713	

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/967,283	MORROW ET AL.	
	Examiner	Art Unit	
	Yveste G. Cherubin	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 October 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20,30-46,48-50 and 57-59* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20,30-46,48-50 and 57-59* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the Amendment of the US Application No. 09/967,283 filed on October 6, 2003. Claims 1-20, 30-46, 48-50, 57-59 are pending.

Affidavit

2. The affidavit filed on October 6, 2003 has been entered. Since the applicant has not provided a specific date as to when communication of Exhibits A, B and C took place, June 1, 2001 is considered the priority date. Any references with dates prior to June 1, 2001, are considered to be prior art.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-11, 13-15, 17, 19-20, 38-40, 42, 44-46, 49-50, 57-58 are rejected under 35 U.S.C. 102(e) as being anticipated by Giobbi (PGPUBS No. 2002/0107072).

As per claims 1-2, 4, 6-7, 14-15, 17, 19-20, 39-40, 42, 44, Giobbi discloses a gaming system comprising a central server and a plurality of terminals (12a-n) remote from and linked to the central server (10). The terminals (12a-n) comprise screens which display (24a-b) video content for games of chance such as slots, poker, blackjack, keno and bingo. Due to performance statistics, the master game server can be configured to automatically modify/download the selection, content and/or math of games available at the terminals in response to various triggers such as time, pages 5-6, section [0050], play frequency, page 6, section [0050], wagered amount, page 5, sections [0041] and [0050], player request, page 2, section [0021], lines 20-25, etc. As per claims 5, 18, 43, Giobbi discloses allowing casino operators to reconfigure screen that displays video content of game of chance, pages 5-6, section [0050]. As per claims 8-9, 46, Giobbi discloses a centralized gaming system with modifiable remote display terminals, see title, page 1, section [0001], lines 1-3, page 5, section [0040]. Giobbi further discloses his terminals comprising a plurality of displays (24a, 24b), page 5, section [0043]. As per claim 10, Giobbi discloses the content of one of the screens/displays comprising the video content of an entire different game, page 5, section [0043]. As per claim 11, Giobbi discloses a screen/display displaying a game being played by a player, page 5, section [0043] and further discloses a pay table capable of being accessed/displayed via a button, page 4, section [0036]. As per claim 13, Giobbi discloses a primary screen/display displaying a game being played by a player and a secondary screen/display displaying a secondary game play features, page 5, section [0043]. As per claim 38, in reference to fig 2, Giobbi discloses terminals comprising two displays

wherein both screens/displays display video content (20a-20b) related to game being played. Downloading a second game to reconfigure the video content of the displays is already noted above. As per claim 45, refer to claim 1 and 7 above for rejection. As per claim 49, refer to claim 38 above for rejection. As per claim 5, 50, 57, Giobbi discloses the claimed invention as substantially as shown above. Giobbi further discloses a processor running the game and further discloses using local stored video content to provide reconfiguration to screens that display video content, page 6, section [0057]. As per claim 58, refer to claims 1 and 57 for rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3, 12, 16, 30-37, 41, 43, 48, 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giobbi (PGPUBS No. 2002/0107072) in view of Takemoto (JP 02001017660A).

As per claims 12, 30, 48, Giobbi discloses the claimed invention as substantially as shown above. Giobbi, as noted above discloses a plurality of terminals communicating with a central server and wherein each terminal comprises a plurality of displays capable of displaying game video content downloaded from the central server. Each terminal comprises two displays wherein the primary display is capable of displaying

video content related to a game while the secondary display is displaying special effects related to the same game, see fig 2. Since Giobbi discloses having two displays on each terminal, adding another display to Giobbi's device would have been obvious and a matter of design choice. This modification would have allowed the display of supplemental information, which will be designed to attract players. Alternatively, Takemoto is cited to teach a gaming system comprising a third display, see abstract. Using that third display to display artwork associated to the game would have been an obvious matter of design choice. This modification would have been obvious because one of ordinary skill in the art would have been motivated to do so in order to provide a more attractive device. As per claim 31, it recites the automatic reconfiguration already rejected above in claim 7, therefore refer to claim 7 above for rejection. As per claim 32, refer to claim 2 above for rejection. As per claims 3, 16, 33, 41, 59, Giobbi discloses the claimed invention as substantially as shown above. Giobbi further discloses using a player identification tracking system to keep track of players' access to the gaming system. However, Giobbi fails to disclose a video content and game logic content of a gaming machine being reconfigured to a predetermined game associated with that particular player in response to identification of the player. Player tracking functions are well known in the art and are used to reward individual for frequent usage and/or participation. They are used to reward individuals for ongoing loyalty. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Giobbi's system to implement the feature detailed above in order to attract and increase player's visit to the casino site. As per claim 34, refer to claim 4 above for

rejection. As per claim 35, refer to claim 5 above for rejection. As per claim 36, refer to claim 6 above for rejection. As per claim 37, refer to claim 7 above for rejection.

Response to Arguments

5. Applicant's arguments with respect to claims 1-20, 30-46, 48-50, 57-59 have been considered but are moot in view of the new ground(s) of rejection.

Final Action

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. US Patent No. 6,409,602 to Wiltshire, which teaches slim terminal gaming system.

b. PGPubs No. 2002/0137217 to Rowe, which teaches gaming terminal data repository and information distribution system.

c. New '97 Games by International Gaming & Wagering Business (IGWB).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yveste G. Cherubin whose telephone number is (703) 306-3027. The examiner can normally be reached on 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T. Walberg can be reached on (703) 308-1327. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Teresa Walberg

Teresa Walberg
Supervisory Patent Examiner
Group 3700

February 19, 2004

YGC